



Facts About...

Maryland's 303(d) List

What is the 303(d) list?

The 303(d) list, as it is historically known, is a list of a jurisdiction's (i.e., State, territory or authorized tribe's) impaired surface waters (also known as water quality limited segments). An impairment is identified when water quality monitoring data suggest that a waterbody (river, lake, estuary or ocean) does not meet or is not expected to meet water quality standards established by the jurisdiction. When a waterbody is listed, a cause (pollutant) is identified as the impairing substance.

Maryland's 2002 List of Impaired Surface Waters [303(d) List] and Integrated Assessment of Water Quality in Maryland has taken a different approach than past 303(d) Lists. Instead of identifying only those waters that are impaired, the new integrated list has six different parts describing different levels of water quality and includes the following: Part 1 - watersheds attaining all standards; Part 2 - watersheds attaining some standards; Part 3 - watersheds with insufficient or no information to determine if water quality standards are attained; Part 4 – watersheds which are impaired or threatened, but not needing a TMDL or a TMDL has been completed; Part 5 [the historical 303(d) List]- watersheds for which a TMDL is required; and Part 6 - watersheds which are no longer listed as impaired or were erroneously listed.

Why compile a 303(d) list?

The Clean Water Act of 1972 requires States, territories, and authorized tribes to: 1) develop water quality standards for all jurisdictional surface waters; 2) monitor these waters; and 3) identify and list those waters not meeting water quality standards. A water quality standard is the combination of a designated use for a particular body of water and the water quality criteria designed to protect that use. Designated uses include activities such as fishing, swimming, drinking water supply, and oyster propagation and harvest. Each use has associated water quality criteria, both numeric and narrative.

How does Maryland's Integrated 303(d) List relate to TMDLs?

All impairing substances or pollutants identified on Part-5 of Maryland Integrated 303(d) List must be addressed by either a water quality analysis (WQA) or a total maximum daily load (TMDL). A WQA is completed when current watershed monitoring data support delisting a waterbody (i.e., putting it on Part-6 of the Integrated List) because water quality standards are being attained. TMDLs are completed when a waterbody continues to violate water quality standards. A TMDL is the amount of a pollutant or stressor that a waterbody can assimilate and still attain water quality standards, as well as a margin of safety. The TMDL requires the identification and reduction of sources of the impairing substance in the watershed that is necessary to attain water quality standards. In some cases, erroneous listings are removed with an explanation, which may include wrong criteria applied, refinement of subbasin or additional data (under the Good Cause Provision [CFR130.7]). Such listings do not require a WQA or TMDL.

What is the current status of the Integrated Report?

Maryland's first Integrated Water Quality Monitoring and Assessment Report was submitted to the U.S. Environmental Protection Agency in October 2002 for review, and was approved on April 30, 2003. Previously, Maryland has submitted and received approval on its 1996 and 1998 303(d) Lists which had been used for the purposes of TMDL development to date. Maryland is currently in the data compilation stage of preparing the 2004 Integrated Water Quality Monitoring and Assessment Report. The 2002 Integrated Report is available on MDE's website at www.state.md.us/Programs/WaterPrograms/tmdl/303d.asp.

How can the public get involved?

There are a number of opportunities for the public to get involved in list development. Data solicitations are conducted prior to the development of each list during which volunteer groups, community groups, academia, local/State/federal governments and non-profits can submit data to be incorporated into the decision making process for the report. Draft methodologies for the determination of impairments are placed on the web and in libraries for public comment. A number of informational meetings are also held in support of the draft methodologies and Integrated Report. Finally, the report itself is available for public review on the web and at local libraries for the public to provide comments on the listings.

For further information, please call or email MDE at 410-537-3906/ 303d@mde.state.md.us.